

REMARKS

This is in response to the Office Action of August 25, 2009. Prior to the present Amendment, claims 1 and 12-35 were pending in the application, of which claims 1, 15-22, and 25 stood withdrawn from consideration and claims 12-14, 23, 24, and 26-35 were undergoing prosecution on their merits.

Applicants gratefully acknowledge the Examiner's finding that this application contains allowable subject matter. In this connection, claim 35 is indicated to be allowable in substance on page 7 of the Office Action.

Claim 12 is amended to recite the feature of claim 27, and claim 27 is accordingly cancelled, without prejudice. The dependencies of claims 31 and 34 are corrected in view of the cancellation of claim 27. Claims 23 and 26 are amended based upon such disclosure as that in the paragraph bridging pages 10-11 of the specification. See also claims 17-19. Claim 29 is amended to correct a typographical error. No new matter is introduced by this Amendment.

With this Amendment, claims 1, 12-26, and 28-35 are now pending in the application, of which claims 1, 15-22, and 25 stand withdrawn from consideration on their merits, and claims 12-14, 23, 24, 26, and 28-35 are under consideration.

Objections to claims 29

Objection was raised to claim 29. Claim 29 has now been amended to delete the inadvertent reference to cancelled claims 2 and 3. Accordingly, the Examiner is respectfully requested to withdraw this ground of objection.

Formal rejections

On pages 2-3 of the Office Action, claims 27 and 31-35 were rejected under the first paragraph of 35 U.S.C. § 112 as exceeding the scope of the enabling disclosure. On pages 3-6 of the Office Action, claims 27 and 31-35 were rejected under the first paragraph of 35 U.S.C. § 112 as failing to comply with the written description requirement. It is noted that claim 27 has now been cancelled. Applicants respectfully submit that the claims in their current form as amended hereinabove satisfy the requirements of the first paragraph of 35 U.S.C. § 112.

On page 6 of the Office Action, claims 27 and 29-35 were rejected under the second paragraph of 35 U.S.C. § 112 as failing to define the invention properly. The rejection is respectfully traversed. Applicants point out that if the molecule has a plurality of photoreactive groups, it is apparent to persons skilled in the relevant art that the molecule can be used as the fixing agent similarly to the molecule represented by Formula [IV] set forth in allowable claim 35 – the patentability of which has been affirmed by the Examiner – irrespective of the structure of the side chains and the structure of the linkers. It is respectfully submitted that the claims in their current form therefore satisfy the requirements of the second paragraph of 35 U.S.C. § 112.

Prior art rejection

On page 7 of the Office Action, claims 12-14, 23, 24, 26, 28, and 30 were rejected under 35 U.S.C. § 102(b) as being anticipated by US 2001/0014448 A1 (Chappa). To the extent that it might be applied to any of the claims currently pending in this application, the rejection is respectfully traversed. Since moieties of Formula [I] and [II] from non-rejected claim 27 are not taught by the Chappa publication, claim 12 as amended – and all claims dependent therefrom – are novel with respect to Chappa. Since the nonionic water-soluble macromolecules defined in claim 23 and 26 as amended are not described by Chappa, those claims are likewise not anticipated by the Chappa reference. Since Formula [III] is not taught by the Chappa publication, claim 32 and the claims dependent therefrom are also novel with respect to Chappa. Withdrawal of the rejection of record based on the Chappa publication is in order and is earnestly solicited.

Conclusion and contact information

Favorable reconsideration of the merits of the present invention, as it is described in claims 12-14, 23, 24, and 26-35 hereinabove, is earnestly solicited.

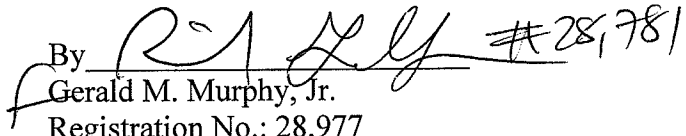
If there are any questions concerning this application please contact Richard Gallagher, Registration No. 28,781, at (703) 205-8008.

If any additional fee is determined to be necessary in connection with this response, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or

credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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